

REMARKS

Reconsideration of this application is respectfully requested.

The rejection of claims 1-25 under 35 U.S.C. § 103 as allegedly "obvious" over the single Gell et al '502 reference is respectfully traversed.

The above amendment emphasizes the ability of the applicant's invention to provide a "point-to-point continuous service" (e.g., see the applicant's specification at page 14, lines 25) that is a function of the user's current location within the network. The above amendment also deletes the "object-oriented" language so as to avoid possibly unnecessary limitations.

Gell et al '502 is not particularly directed to a mobile user – nor any of the problems that arise when a mobile user materially changes position or location within the network. For example, Gell does not advise the user of any changes in price or service or the like during a given session if the mover moves into an area with different available capacity, features, etc. That is, Gell et al clearly does not offer any "point-to-point continuous service".

Although Gell does envisage a mobile user, it goes back through its whole tendering process when the user moves from cell to cell, as described in column 8, lines 34 to 50. This is already contrary to applicant's claimed invention (e.g., see especially claims 11 or 12).

Gell might teach downloading of data but it is to the static user and doesn't approach the subject matter of, for example, claim 13.

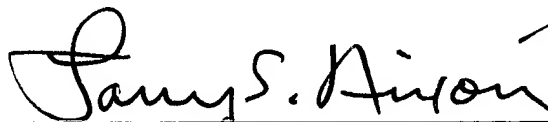
Further, the Examiner might have a point in saying that Gell discloses something which can be called a "business strategy" but it is only the way in which pricing negotiation is done during setting up of quotes to the customer (column 7, lines 59-67). There is no disclosure of it being customer specific. Applicant's business strategy concerns the arrangement the service provider has with a particular customer and is therefore customer specific. The example quoted on page 14, lines 20 to 23, is a bulk rate discount.

Accordingly, this entire application is now believed to be in allowable condition and a formal Notice to that effect is respectfully solicited.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



Larry S. Nixon
Reg. No. 25,640

LSN:ms
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100